

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Trustee-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Trustee,

v.

NATIXIS, NATIXIS CORPORATE &
INVESTMENT BANK (f/k/a IXIS
CORPORATE & INVESTMENT BANK),
NATIXIS FINANCIAL PRODUCTS, INC.,
BLOOM ASSET HOLDINGS FUND, and
TENSYR LIMITED,
Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05353 (SMB)

**STIPULATION EXTENDING TIME TO RESPOND
AND ADJOURNING THE PRE-TRIAL CONFERENCE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, that the time by which the Trustee may respond to the Motions to Dismiss filed by Defendant Tensyr Limited (“Tensyr”) and Defendants Natixis S.A. (in its own capacity and as successor in interest to Defendant IXIS Corporate & Investment Bank) (“Natixis”), Natixis Financial Products LLC (as successor in interest to Natixis Financial Products Inc.) (“Natixis FP”) and Bloom Asset Holdings Fund (“Bloom”) (collectively, the “Natixis Defendants”) is extended up to and including November 19, 2016. It is further stipulated and agreed that Tensyr and the

Natixis Defendants shall file their respective replies by February 11, 2017. The pre-trial conference will be adjourned from February 22, 2017 at 10:00 a.m. to April 26, 2017 at 10:00 a.m. The return date for this matter was previously set for January 25, 2017 at 10:00 a.m., but will be rescheduled for March 29, 2017 at 10:00 a.m.

The purpose of this stipulated extension (the “Stipulation”) is to provide additional time for the Trustee to respond to the Motions to Dismiss. The extension of time granted by this Stipulation is without prejudice to any future extensions of time.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses the Trustee, the Natixis Defendants, and Tensyr may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction. Undersigned counsel for Tensyr and the Natixis Defendants acknowledge that they have previously waived any defenses based on insufficiency of process or insufficiency of service of process of the Summons and Complaint on behalf of Defendant Tensyr and Defendants Natixis, Natixis FP and Bloom.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original. This Stipulation is entered into pursuant to the Order Granting Supplemental Authority to Stipulate to Extensions of Time to Respond and Adjourn Pre-Trial Conferences (Adv. Pro. No. 08-01789 (SMB), Dkt. No. 10106).

[Remainder of page intentionally left blank.]

Dated: September 20, 2016
New York, New York

BAKER & HOSTETLER LLP

By: /s/ Catherine E. Woltering
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Catherine E. Woltering
Email: cwoltering@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the estate
of Bernard L. Madoff*

FRESHFIELDS BRUCKHAUS DERINGER
US LLP

By: /s/ David Y. Lishiz
601 Lexington Avenue
31st Floor
New York, New York 10022
Telephone: (212) 227-4000
Facsimile: (212) 227-4001
Timothy P. Harkness
Email: timothy.harkness@freshfields.com
David Y. Livshiz
Email: david.livshiz@freshfields.com

Attorneys for Defendant Tensyr Limited

DAVIS & GILBERT LLP

By: /s/ Bruce M. Ginsberg
1740 Broadway
New York, New York 10019
Telephone: (212) 468-4800
Facsimile: (212) 468-4888
Bruce M. Ginsberg
Email: bginsberg@dglaw.com
Joseph Cioffi
Email: jcioffi@dglaw.com

*Attorneys for Defendants Natixis S.A. (in its
own capacity and as successor in interest to
IXIS Corporate & Investment Bank), Natixis
Financial Products LLC (as successor in
interest to Natixis Financial Products Inc.) and
Bloom Asset Holdings Fund*